

PATENT
Docket No.: ST00015USU1(108-US-U1)
09/938,459

REMARKS

STATUS SUMMARY

Claims 1-22 are pending in the present application. The Examiner has objected to claims 16 and 17 as being of improper dependent form. The Examiner has rejected claims 2 and 14 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement in that these claims contain subject matter that is not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The Examiner has also rejected claims 1, 12, and 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,517,529 to *Stehlik* ("*Stehlik*"), and claims 3, 4, and 15-18 are also rejected as being dependent on a rejected claim. Claims 5-11 are allowed.

Claims 19-22 are not discussed in the Detailed Action of the pending non-final Office action. For the reasons stated below in response to the rejections under 35 U.S.C. § 102(b), applicant respectfully submits that these claims, as amended, are now allowable.

These formal matters identified in the Office Action are addressed herein below.

OBJECTIONS TO CLAIMS 16 AND 17

As for the objections to claims 16 and 17, the objection to claim 16 is now moot, claim 16 having been canceled. Applicant respectfully traverses the objection to claim 17 for the reason that claim 17 has been amended to depend on claim 15, and claim 15 depends on claim 12, not claims 13 or 14. Thus claims 12, 15, and 17 claim a separate subject matter from that

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claimed by claims 12 and 14, and the same subject matter is not claimed in claims 12, 15, and 17 and claims 12 and 14.

In view of the foregoing, applicant respectfully submits that the objections to claims 16 and 17 are improper, and therefore requests that the Examiner's objections be withdrawn at this time.

CLAIM REJECTIONS - 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 2 and 14 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement in that these claims contain subject matter that is not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Accordingly, applicant has amended claims 2 and 14 to overcome the lack of enablement referred to by the Examiner.

In general, these claims have been amended by replacing the term "second frequency shifter" with the term "bandpass filter." Support for this amendment may be found, for example, at page 7, lines 6-8, page 8, lines 6-8, and elsewhere throughout the specification.

In view of the foregoing, applicant respectfully submits that the rejections of claims 2 and 14 under 35 U.S.C. § 112, first paragraph, have been overcome, and requests that these rejections be withdrawn.

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CLAIM REJECTIONS - 35 U.S.C. § 102(b)

Claims 1, 12, and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Stehlik*. Applicant has amended claims 1 and 12 to clarify the invention recited in these respective claims and canceled claim 13. Support for these amendments of claims 1 and 12 may be found, for example, at page 7, lines 5-6, FIG. 1, and elsewhere throughout the specification. Thus, no new matter has been added by these Amendments.

Applicant respectfully traverses this rejection because the cited reference fails to teach each and every feature or element recited in the rejected claims.

With respect to independent claims 1 and 12, the Examiner cites the decimation filtering and decimation means 430A that includes a pair of comb filters 460A and 462A as shown in FIG. 12 of *Stehlik*. This, however, does not teach or disclose the frequency shifting or the frequency shifter that includes a frequency generator.

Stehlik does not teach or disclose frequency shifting the filter lines in an output signal of a comb filter using signals of varying frequencies generated by an at least one frequency generator. (See specification, page 8, lines 3-5.) Nothing in *Stehlik* indicates the utilization of the at least one frequency generator to process the digitized signals found in *Stehlik*. Also, *Stehlik* does not disclose a plurality of mixers that uses a plurality of mixing signals at selected delays (frequencies) to compress a GPS signal because the mixers 464A and 466a are merely 2 separate single mixers for the I and Q components of a GPS signal.

In view of the foregoing, applicant respectfully submits that claims 1 and 12, as amended, are not anticipated by *Stehlik*. Therefore, applicant respectfully requests that these rejections be withdrawn.

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Independent claims 1 and 12 being in condition for allowance, dependent claims 2-3, and 14, 17, 19, and 20 that depend directly or indirectly from allowable independent claims 1 and 12, respectively, are also in condition for allowance for at least the same reasons. Also, claim 21, which depends directly from allowed claim 5, and claim 22, which depends indirectly from allowed claim 5, are also allowable.

CLAIM AMENDMENTS

Claims 3, 7, 9, 19, and 21 have been amended to clarify the invention recited in these claims. Support for these amendments of claims 3, 7, 9, 19, and 21 may be found, for example, at page 6, lines 19-21, and elsewhere throughout the specification.

No new matter has been added by these Amendments. Additionally, applicant reserves the right to present the amended claims in their original form in one or more continuation applications.

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CONCLUSION

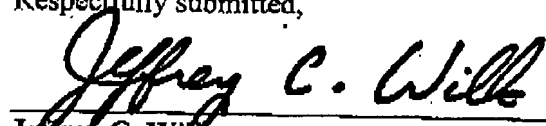
In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

Respectfully submitted,

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